

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.126 of 2025

Arising Out of PS. Case No.-57 Year-2024 Thana- Chhaudahi District- Begusarai

Amarnath Mahto @ Amarnath Kumar Son of Shravan Mahto Resident of
Village - Ward No. 17, Wardah, Mushari Tola, P.S. - Chhaurahi, District -
Begusarai

... .. Appellant/s

Versus

1. The State of Bihar Bihar
2. Kanchan Devi Wife of Ranjit Sada Resident of Village - Ward No. 17,
Wardah, Mushari Tola, P.S. - Chhaurahi, District - Begusarai

... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr.Pritish Kumar Lal
For the Respondent/s	:	Mr.Sadanand Paswan

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

5 15-05-2025 Heard learned counsel for the appellant and learned
Special Public Prosecutor for the State.

2. This is an appeal under Section 14(A)(2) of the
Scheduled Castes and Scheduled Tribes (Prevention of
Atrocities) Act, 1989 against the rejection of prayer for bail vide
order dated 11.09.2024 passed by the learned Exclusive Special
Judge, SC/ST (POA) Act, Begusarai in connection with
Chhaurahi P.S. Case No. 57 of 2024 dated 09.06.2024 registered
for the offence/s punishable u/ss 376, 326 and 307 of the Indian
Penal Code and section 3(2) (v) of the SC/ST (POA) Act.

3. As per the prosecution case, the appellant is alleged
to have committed rape on the informant and tried to slit her neck



with intention to kill.

4. Learned counsel for the appellant has submitted that the appellant has falsely been implicated in this case due to ulterior motive. Learned counsel has further submitted that the caste name was not disclosed by anyone at the time of the alleged occurrence. It is further submitted that no member of public was present at the relevant point of time of the alleged incident hence no case is made out under SC/ST Act. The victim in her statement recorded u/s 161 of the Cr.P.C. has not made any allegation of sexual assault against the appellant. The injury is stated to be simple in nature. The appellant has no criminal antecedent as stated in para 3 of the bail petition. The appellant is in custody since 15.06.2024.

5. Learned Spl. P.P. for the State has vehemently opposed the bail petition of the appellant.

6. In view of the aforesaid facts and circumstances of the case as well as finding substance in the contention of the learned counsel for the appellant, the impugned order dated 11.09.2024 passed by the learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Chhaurahi P.S. Case No. 57 of 2024, is set aside against the appellant. The criminal appeal is allowed.



7. Accordingly, the above named appellant, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, SC/ST (POA) Act, Begusarai in connection with Chhaurahi P.S. Case No. 57 of 2024.

(Chandra Prakash Singh, J)

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